

# House Amendment 8439

PAG LIN

1 1 Amend House File 2750 as follows:  
1 2 #1. Page 1, by striking lines 1 through 9 and  
1 3 inserting the following:  
1 4 <Section 1. Section 709.16, Code 2005, is amended  
1 5 to read as follows:  
1 6 709.16 SEXUAL MISCONDUCT WITH OFFENDERS AND  
1 7 JUVENILES.  
1 8 1. An officer, employee, contractor, vendor,  
1 9 volunteer, or agent of the department of corrections,  
1 10 or an officer, employee, contractor, vendor,  
1 11 volunteer, or agent of a judicial district department  
1 12 of correctional services, who engages in a sex act  
1 13 with an individual ~~committed to the custody of the~~  
1 14 ~~department of corrections known to be confined at a~~  
1 15 ~~correctional institution or known to reside in a~~  
1 16 ~~residential facility operated by a judicial district~~  
1 17 department of correctional services commits an  
1 18 aggravated misdemeanor.  
1 19 2. An officer, employee, contractor, vendor,  
1 20 volunteer, or agent of a juvenile placement facility  
1 21 who engages in a sex act with a juvenile known to be  
1 22 placed at such facility commits an aggravated  
1 23 misdemeanor.  
1 24 For purposes of this subsection, a "juvenile  
1 25 placement facility" means any of the following:  
1 26 a. A child foster care facility licensed under  
1 27 section 237.4.  
1 28 b. Institutions controlled by the department of  
1 29 human services listed in section 218.1.  
1 30 c. Juvenile detention and juvenile shelter care  
1 31 homes approved under section 232.142.  
1 32 d. Psychiatric medical institutions for children  
1 33 licensed under chapter 135H.  
1 34 e. Substance abuse facilities as defined in  
1 35 section 125.2.  
1 36 3. An officer, employee, contractor, vendor,  
1 37 volunteer, or agent of a county who engages in a sex  
1 38 act with a prisoner known to be incarcerated in a  
1 39 county jail commits an aggravated misdemeanor.>  
1 40 #2. Title page, line 3, by striking the words  
1 41 <increasing the penalty for> and inserting the  
1 42 following: <modifying the crime of>.

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1 46 R. OLSON of Polk  
1 47 HF 2750.203 81  
1 48 jm/sh/1709

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